

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

Bosma

I move that House Bill 1461 be amended to read as follows:

- 1 Page 9, line 14, after "a" insert "**qualified**".
- 2 Page 9, between lines 15 and 16, begin a new paragraph and insert:
- 3 "**(b) As used in this section, "invention" has the meaning set**
- 4 **forth in 35 U.S.C. 100(a).**
- 5 **(c) As used in this section, "qualified patent" means:**
- 6 **(1) a utility patent issued under 35 U.S.C. 101; or**
- 7 **(2) a plant patent issued under 35 U.S.C. 161;**
- 8 **after December 31, 2007, for an invention resulting from a**
- 9 **development process conducted in Indiana. The term does not**
- 10 **include a design patent issued under 35 U.S.C. 171."**
- 11 Page 9, line 16, delete "(b)" and insert "**(d)**".
- 12 Page 9, line 21, delete "(c)" and insert "**(e)**".
- 13 Page 9, line 21, delete "(d) and (e)," and insert "**(f) and (g),**".
- 14 Page 9, line 25, after "a" insert "**qualified**".
- 15 Page 9, line 27, after "a" insert "**qualified**".
- 16 Page 9, line 28, after "a" insert "**qualified**".
- 17 Page 9, line 29, delete "(d)" and insert "**(f)**".
- 18 Page 9, line 32, delete "(e)" and insert "**(g)**".
- 19 Page 9, line 33, after "particular" insert "**qualified**".
- 20 Page 9, line 34, after "years." insert "**Subject to the provisions of**
- 21 **this section, the following amount of the income, royalties, or**
- 22 **receipts described in subsection (e) from a particular qualified**
- 23 **patent is exempt:**
- 24 **(1) One hundred percent (100%) for each of the first five (5)**

- 1 taxable years in which the exemption is claimed for the
2 qualified patent.
3 **(2) Eighty percent (80%) for the sixth taxable year in which**
4 **the exemption is claimed for the qualified patent.**
5 **(3) Sixty percent (60%) for the seventh taxable year in which**
6 **the exemption is claimed for the qualified patent.**
7 **(4) Forty percent (40%) for the eighth taxable year in which**
8 **the exemption is claimed for the qualified patent.**
9 **(5) Twenty percent (20%) for the ninth taxable year in which**
10 **the exemption is claimed for the qualified patent.**
11 **(6) Ten percent (10%) for the tenth taxable year in which the**
12 **exemption is claimed for the qualified patent.**
13 **(7) No exemption under this section for the particular**
14 **qualified patent after the tenth taxable year in which the**
15 **exemption is claimed for the qualified patent."**

16 Page 9, line 35, delete "(f)" and insert "(h)".

(Reference is to HB 1461 as printed February 20, 2007.)

Representative Bosma